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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CALVIN McKENNEDY,

Petitioner,

v.

THE STATE OF MICHIGAN,

Respondent.

Case No.: 2:24-cv-00424-APG-BNW

Order Dismissing Action

This action was initiated, *pro se*, by Calvin McKennedy, on March 1, 2024, as a petition for a writ of habeas corpus. I will summarily dismiss this action because McKennedy has not paid the filing fee for this action and has not applied to proceed *in forma pauperis*, because his habeas petition is not on the form required by this Court, because the Court does not have jurisdiction over the respondent State of Michigan, and because, at any rate, McKennedy's petition is patently meritless in that it does not set forth any claim for habeas corpus relief.

McKennedy has not paid the \$5 filing fee for this habeas corpus action and he has not applied to proceed *in forma pauperis*. And his habeas petition (ECF No. 1-1) is not on a form recognized by this Court; rather, it is on a form apparently provided by the courts of Michigan. *See* Local Rules LSR 1-1, 1-2, 3-1.

McKennedy's petition states that he is "presently incarcerated in the Macomb County Jail. This Court takes judicial notice that Macomb County is a county in Michigan. As such, this Court does not have jurisdiction over the respondent, that is, the State of Michigan or the Macomb County official who has custody of McKennedy.

1 Moreover, McKennedy's petition is patently meritless, in that it does not include any
2 claim for habeas corpus relief.

3 For all these reasons, I will summarily dismiss this action.

4 **I THEREFORE ORDER** that this action is **DISMISSED**.

5 **I FURTHER ORDER** that, as reasonable jurists would not find the rulings in this order
6 to be debatable, the petitioner is denied a certificate of appealability.

7 **I FURTHER ORDER** that the Clerk of the Court is directed to enter judgment
8 accordingly and close this case.

9 Dated: March 5, 2024

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12 ANDREW P. GORDON
13 UNITED STATES DISTRICT JUDGE
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